INAUGURAL ADDRESS

OF

SALMON P. CHASE,

GOVERNOR OF THE STATE OF OHIO:

DELIVERED BEFORE THE

Senate and House of Representatives

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INAUGURAL ADDRESS.

Fellow-Citizens of the Senate,
and House of Representatives:

It has pleased the people of Ohio to call me to their service in the capacity of Governor of the State.

Before entering upon the discharge of the duties to which I am thus summoned, a n required, by the fundamental law, to take an oath or affirmation to support the Constitution of the United States and of this State, and to take also an oath of office.

In compliance with a venerable usage, not established, indeed, by the Constitution, but recommended by the examples of all my predecessors, I now appear before you for the purpose of taking upon myself the solemn obligations which the Constitution imposes; of declaring, briefly, the general principles by which, in my judgment, the conduct of public affairs should be regulated, and of indicating some of their more obvious applications.

The constitutional duty of communicating to the General Assembly the condition of the State, and of recommending measures by him deemed expedient, devolved upon my predecessor, who has, accordingly, laid before you the reports of the several State officers, accompanied by such recommendations as seemed to him most likely to promote the public welfare

The duty which usage imposes upon me, requires no detailed exposition or elaborate discussion.

In the discharge of that duty, I shall speak with diffidence but with frankness A profound sense of defective information and limited ability will forbid presumption; while gratitude to the people, as deep as it is fervent, for the generous confi-

dence which their suffrages evince, will constrain me, irresistibly, not only to the best exertion of all my faculties in their service, but to the plainest declaration of the views of public policy, which investigation and reflection have led me to adopt, subject always to the corrections of reason and experience.

If I may not hope for general concurrence in these views, I may at least expect from the intelligence and justice of the people, candid consideration and impartial judgment.

The sovereignty of the people is the distinguishing characteristic of our institutions. The people constitute the State. Government is nothing but the administration of the affairs of the people by the agents of the people, selected in such manner, and invested with such powers, as are best adapted, in their judgment, to the security of their own rights, and the advancement of their own interests.

To the successful working of such institutions, two conditions are indispensable. The first is personal freedom; the second is official responsibility. Without personal freedom, inviolably secured to every individual, there may be a community of privileged superiors and degraded dependents; but there cannot be, in the true sense of the word, a people. Without responsibility, constantly exacted, and rigorously enforced, the servants of the people are but too apt to become their masters. Eternal vigilance, it has been well said, is the price of liberty.

In our own State, personal freedom is guaranteed by the fundamental law; and the responsibility of public servants is secured by the partition of governmental powers, by strict limitations of authority, and by frequent elections.

To you, Senators and Representatives, belongs exclusively the function of legislation. No part of this power, and no control whatever over your exercise of it, is confided to the Executive. To him belongs the duty of recommending to your consideration such measures as he may think best adapted to promote the public welfare; but there his duty ends. The rest is yours.

To secure individual rights against invasion; to furnish adequate remedies for the redress of injuries; to provide the means, and diffuse the benefits of education; to rescue from unhappy destinies those children of sorrow, the deaf, the dumb, the blind and the insane; to define the just course and limits of individual and associated action; to develop the resources, protect the interests, and defend the honor of the State; to maintain the public faith, and make provision for the discharge of the public obligations:—these are some of the high duties which the Constitution of the State and the choice of the people devolve upon you.

For the supply of the means necessary to the due performance of these duties, and to the proper administration of the State government, the patriotism of the people may be safely trusted; but they will justly require that no more revenue be collected than is indispensably necessary to these ends; and that clear accounts be rendered of its faithful application to proper public purposes.

The burdens of taxation have become very grievous. Reform, both in measure

and in mode, is universally demanded ; and I earnestly invoke your most serious attention to this important matter. As far as possible, the aggregate of taxation should be reduced by the introduction of rigid economy into every branch of the public service; and the greatest care should be taken to apportion its burdens equally upon all non-exempt property of every description, by whomsoever held. No favor and no disfavor should be shown toward one description of property or class of owners, rather than toward another.

Under instructions issued by the late Auditor of State, the statutory right of each citizen to deduct his debts from his credits, in listing his property for taxation, has been denied. In issuing these instructions, the late Auditor was governed, doubtless, by respect for a decision of a majority of the Judges of the Supreme Court, by which the section of the act which allows this deduction, was declared to be unconstitutional. Notwithstanding that decision, however, the Legislature has not thought fit to repeal the law, and it may be doubted whether the Court, upon re-consideration, will adhere to the opinion heretofore expressed. Should the present Auditor, under these circumstances, think it his duty to conform his instructions to the statute, which remains unrepealed, rather than to the opinion of the majority of the court, the right denied by his predecessor will be restored.

A sound and sufficient currency is indispensable to the welfare of every civilized community. The best practicable currency, in my judgment, would be a currency of coin, admitting the use of large notes only, for the convenienc commerce. Such a currency, however, is only attainable through the legislation of Congress, and the action of the General Government. Connected as we are on all sides with States in which banks of circulation are established, our actual currency, in the absence of adequate banking capital within our limits, must necessarily be supplied, in a great measure, by institutions beyond our control and exempt from our taxation. All attempts to exclude, by penal legislation, the bank notes of other States from circulation in this, have proved ineffectual; and the public sentiment demands an increase of banking capital, organized under our own laws, contributing, in just measure, to our own revenues, and sufficient to furnish the necessary facilities for the transaction of business. The Constitution of the State indicates the mode in which this demand may be satisfied. It provides for authorizing associations with banking powers, by act of the General Assembly, to be submitted to the people at the next general election, and not to take effect, unless then approved by a majority of all the voters. In framing such an act, should you deem it expedient to exercise the power thus vested in you, the utmost care should be used to secure the prompt and certain convertibility of every note issued, into gold or silver coin, upon demand of the holder ; to protect the community against all abuses of granted powers ; and to guard against the evils of monopoly by extending the benefits of the act to all who will give the ample securities and guaranties which you will doubtless require. No general objection exists to a mixed currency of coin, and

notes exchangeable for coin at the will of the holder, without loss; while all mere paper money systems, pregnant with fraud and fruitful of ruin, justly incur universal reprobation.

For several years past the law has allowed contracts for interest at the rate of ten per centum. There seems to be no valid reason why the capitalist should be encouraged to demand so large a proportion of the earnings of the producer and the profits of the manufacturer and the merchant. I therefore respectfully suggest a material reduction of the maximum rate allowed.

I need not commend to your judicious consideration the Educational and Benevolent Institutions of the State. Universal Education is our cheapest defence, and surest safeguard, and most enduring wealth. Our Common Schools, which secure to the people this great benefit, are firmly established in their affections, and will justly claim the fostering care of their representatives. Our Benevolent Institutions are a noble complement to our educational system. Their existence honors the State, and every patriotic citizen must feel a deep interest in their improvement and prosperity. The duty of the State will not be fully performed until the benefits of these institutions shall be extended to all, without distinction, who need their care.

The organization and discipline of the Militia will require your early consideration. The laws on this subject need thorough revision to adapt them to the requirements of the Constitution. Adequate provision should be made for the enrollment of all citizens liable to military duty, in order to secure to the State her due proportion of the public arms. No necessity, however, seems to demand actual service from any who do not feel disposed to perform it. Efficiency and energy will probably be better secured by the judicious encouragement of voluntary organization. The patriotism of individual citizens, properly sanctioned and supported by legislation, will doubtless supply a military force fully competent to all the exigencies of police, and to whatever more serious contingencies may possibly arise.

The Constitution of the State provides for its own amendment, and assigns to the Legislature the duty of proposing such modifications as experience suggests. Changes in the fundamental law should ever be made with caution; but amendments which commend themselves, by their intrinsic merits, to the judgment of the Legislature, and seem to be demanded also by a general opinion among the people, have a just claim to be submitted to the final test of popular decision at the polls.

That the people are the source of all political power is the fundamental principle of democratic institutions. To secure a true and complete expression of the popular will must therefore be a leading object in every system of representative government. And this object cannot be attained unless representation be so apportioned among the different parts of a State as to give to each its just weight in legislation and administration. It is obvious that there can be no complete expres-

sion of the popular will, unless the representative be brought into the closest possible relations of sympathy and responsibility with his constituents; and that there can be no just apportionment where the representation of one part of a State is so arranged as to give to its delegation in the Legislature a greater share of political power than is given to the delegations of other parts of equal population.

It cannot well be denied that a uniform system of single districts will best secure a proper choice of representatives, and their due responsibility to the people, and a fair distribution of political power.

Where one representative is chosen to represent one district, there will necessarily be the most careful scrutiny of qualification; the least liability to misinformation and mistake; the closest sympathy in opinion and purpose; the most vigilant observation of representative action; and the liveliest sense of representative responsibility. Where more representatives than one are chosen from the same district, all these securities are sensibly impaired. Opportunity is afforded for unwarrantable combination among aspirants and their partizans; the people are disabled from informing themselves thoroughly as to the character and qualifications of candidates; and the decisions of the majority of a delegation, conformed to the interests of party, are apt to be substituted, as guides of representative action, for the will of the constituency, determined by a true regard for the interests of the people.

In the Convention which framed our present State Constitution, the subject of representation was much discussed. By many of the most enlightened and most respected members of that body, of all political parties, the division of the State into single districts for the choice of Senators and Representatives was earnestly defended and strenuously urged. A majority of the Convention, however, preferred and adopted the existing system.

It will hardly be insistsd, that this system has proved satisfactory to the people.

It is founded upon no consistent principle. In much the largest part of the State it establishes single districts, while it creates dual and plural districts in the remaining parts. For the choice of Senators, the whole State is divided into single districts, except Hamilton county. That county is made a plural district, with three Senators. For the choice of Representatives, fifty counties are arranged as single districts of one or more counties each; thirty counties are made single districts for some, and dual districts for other representative terms; four counties are constituted permanent dual districts; two counties are made sometimes dual, and sometimes plural districts; and one county, Hamilton, is constituted a permanent plural district, with eight Representatives for each of the first four Representative terms, and seven for the fifth.

While thus defective in principle, the system fails to commend itself by its practical operation.

Let the largest plural district, Hamilton county, be compared, for example, with

Morrow county, a single district. Hamilton county has eight Representatives, while Morrow county has but one. Each elector in Hamilton, therefore, votes for and is represented by eight delegates. Each elector in Morrow votes for and is represented by but one. Each elector in Hamilton county may appeal, as a constituent, to eight different members of the House of Representatives, while each elector in Morrow county can appeal to one only. The elector in Hamilton is thus preferred in political consideration, to the elector in Morrow. The inequality is aggravated by the reflection that the majority by which the eight Representatives from Hamilton are elected, may be less than that which elects the single Representative from Morrow.

Let the same plural district be compared, also, with a number of single districts, having the same aggregate representation in the more numerous branch of the General Assembly. Hamilton county occupies the Southwestern part of the State. Fifteen counties, in the Northwestern part of the State, constitute eight single districts. The Representatives of these districts, separately elected and separately responsible, are often divided; while the Representatives from Hamilton, elected together, and comparatively irresponsible, act together and in concert. While, therefore, in the choice of a Senator of the United States, and upon many other questions, Hamilton county, with her undivided representation, will have, practically, eight votes, the fifteen Northwestern counties, their representatives being equally divided, may have, practically, none.

For the sake of perspicuity, I limit this comparison to the arrangement of the Representative Districts. Your own reflections will extend it to the arrangement of Districts for the choice of Senators.

It hardly needs to be remarked that the existing system, while thus unjust to the counties arranged in single districts, is prejudicial to the interests of the more populous counties themselves. Its necessary tendency is to excite jealousies in portions of the State against other portions, which must prove hurtful. It fails, also, to secure, in the plural districts, a satisfactory repre ntation of the various interests and sentiments of the people. In the county of Hamilton, for example, the political minority, however considerable and respectable, can have no adequate representation. Townships and wards, with populations which, with a system of single districts, would entitle them to separate Representatives, are liable to have their particular interests and views overlooked and disregarded under the pressure of political exigencies. Constituents cannot well know their representatives, and representatives are absolved, in great measure, from their individual responsibilities to their constituents. The demands of the people, under such circumstances, will necessarily be subordinated to the demands of political organizations, and the public good must often yield to party necessities.

That a system of single districts will prove an absolute remedy for all these political evils, no one, perhaps, will venture to expect. I am fully persuaded, how-

ever, that it would secure a much more perfect popular representation than we have at present, and I therefore recommend that an amendment to the Constitution, providing such a system, be submitted to the people for their adoption or rejection.

While the true principles of popular government thus require the most complete and perfect representation of the people which is attainable, they require, also, and not less imperatively, frequent meetings of the representative Legislature, for the thorough supervision of administrative action, for the prompt remedy of evils, and for the due provision of necessary means and measures for guarding the public interest and promoting the public welfare.

The existing Constitution authorizes only biennial sessions, except in cases when the Governor, upon extraordinary occasions, may deem himself warranted in specially convening the Legislature.

Under this provision, the whole administrative power of the State is left for two years in the hands of the Executive and Judicial departments, without legislative check or limitation. There can be no impeachment or removal, during that period, of any State officer, for any cause, however urgent. The Constitutional responsibility of State officials, to the immediate representatives of the people, is thus, in great part, practically nullified. A profound writer has well observed, that every departure from annual legislative sessions is an approach toward irresponsible government and despotism.

Numerous occasions must necessarily arise, in a State so large as ours, from past legislative acts or omissions, as well as from various contingencies of other descriptions, which, in the aggregate, will imperatively require the attention of the Legislature, although no one of them may constitute such an extraordinary occasion as will warrant the exercise of the special power vested in the Governor. Expediency, therefore, no less than principle, seems to recommend annual rather than biennial sessions.

There are some collateral considerations, tending to the same conclusion, which should not be overlooked.

The present Constitution allows no amendment of its provisions, except such as may be agreed to by three-fifths of the members of each House, and by a majority of the electors voting at the next election for Senators and Representatives. It follows that no amendment of the Constitution can be made, however unanimously sanctioned by the Legislature or demanded by the people, until two years after it shall have been proposed. The substitution of annual for biennial sessions will necessarily require annual elections for Senators and Representatives, and will thus remove this needless and disparaging restriction upon the exercise of the popular sovereignty.

It so happens, also, that the terms of Senators from this State in the Congress of the United States, expire during the second years of the biennial periods. Every election of Senator, therefore, while our State Constitution shall remain unamended,

must, under ordinary circumstances, take place more than a year before the expiration of the current term, and nearly two years before the Senator elect will take his seat. It may sometimes occur that a Senator thus chosen, so l ng in advance of the commencement of his term, will by no means represent the sentiments or the wlll of the people, when he actually enters upon the performance of his official duties.

Those who are accustomed to look to the State Governments for the maintenance of State Rights and the security of personal rights, will find another reason for a preference of annual to biennial sessions, in the obvious consideration, that while the sessions of Congress are annual, and those of the State Legislature are only biennial, the regards of the people will be more and more absorbed by the former, and less and less attracted by the latter. No well wisher to the permanence of American institutions, will desire to augment the tendency, already too apparent, toward the absorption of the States in a centralized and consolidated Federal Government.

The greater expense of annual sessions is sometimes urged as an argument in favor of biennial; and every argument drawn from the important principle of public economy, is certainly entitled to respectful consideration. But I think it may well be affirmed, that, in this instance, the argument from economy is not valid. Without taking into the account the cost to the State of the mischief arising from the delay of needed legislation, it must be remembered that the accumulation, through two years, of business demanding the attention of the General Assembly, will require protracted sessions for its due consideration. The time needed for two annual sessions is not, necessarily, greater than that required for one biennial session. The argument from expense, therefore, may be readily obviated by a proper limitation of duration, and the question of preference may be reduccd to a simple choice, irrespective of expense, between limited annual sessions, and unlimited biennial with occasional extra sessions. My own judgment is so thoroughly satisfied upon the whole matter, that I cannot hesitate to recommend an amendment of the Constitution, providing for limited annual sessions:

Your first and most earnest attention, gentlemen, will doubtless be directed to the important matters within the immediate sphere of your legislative powers; but you cannot forget that you represent a sovereign State of the American Union, third of the thirty-one, in wealth, and power, and population, and second to none in patriotic devotion to the welfare of the whole country. The appointment of a Senator to represent the State in one branch of the American Congress devolves upon you, and in making this appointment you will necessarily be required to consider the interests of Ohio as a member of the Union.

Foremost among these interests is the preservation of the Union itself. Established by the wisdom of our Fathers, for the sublimest and noblest political ends, it descends to us as a sacred trust. Under its benign influence, our country has steadily advanced from strength to strength, and from greatness to greatness, extending

her borders, enlarging her resources, and augmenting her power, until the name of American citizen has become a nobler distinction than was the name of Roman citizen in the proudest days of the mightiest Republic of antiquity. To maintain the integrity of this Union; to defend the Constitution which is its bond; and to guard against all invasion, from whatever quarter, those American Institutions which the Union and the Constitution secure to us, have ever been, and I trust will ever be, acknowledged as sacred obligations by the people of Ohio.

Cherishing these sentiments, and ever prepared to give full proof of unwavering fidelity to them, it is not only our right, but our duty, to insist that the interests of Ohio shall be duly regarded in the administration of the General Government. Few States contribute so largely to the national revenues as our own. The people of Ohio have paid to the Federal Government or to its grantees, for the soil which they occupy and cultivate, more than thirty millions of dollars. Of the revenue derived from duties, we contribute necessarily in proportion to our numbers. As the population of our State is about one-tenth of the entire population of the Union, we pay about one-tenth of that revenue. Its entire amount for the last year exceeded sixty millions of dollars. The proportion of Ohio exceeded, of course, six millions.

While we have thus paid for the very soil we live on, an amount which no other people has ever paid under like circumstances or under any circumstances, and while we still contribute thus amply and freely to the annual revenue, it is not an agreeable reflection that, of all the States in which the General Government has asserted a proprietary right to the soil, Ohio has received the least in grants of lands for education, improvement, and other like purposes; and that while millions are expended for the protection and benefit of commerce on the ocean coasts of the Republic, the property and lives of our own people are exposed to continual peril and enormous loss upon our rivers and our lakes, for the want of comparatively insignificant appropriations for the improvement of their channels and harbors. The injustice of unequal grants of lands is perhaps beyond remedy; but it will be our own fault if our rivers and harbors continue to be thus neglected.

While in these and many other important details of administration, the interests of our own State are deeply affected by the action of the National Government, we are even more vitally concerned in the great principle by which that action and the progressive development of our country are regulated and controlled.

As man is more than his circumstances, as freedom is better than wealth, as rights are more important than institutions, it becomes us to look well to the fundamental ideas which determine the character of Government, and the course of its practical operation.

The basis of American Institutions is the democratic principle of equality among men. They rest upon the solid foundation of popular consent. The primary objects of their establishment are the defence and protection of personal rights. If

they fail to secure these ends, it is the duty of the people who established, to amend or change them. To organize and administer Government upon these principles, is the true work of a republican people.

While the democratic idea thus constitutes the basis of American Institutions, various exceptions, under the pressure of real or supposed exigencies, have been admitted to its universal application. Among these, Slavery, the creature of despotism and the deadly opposite of democracy, claims baleful pre-eminence.

When our country asserted her independence, slavery existed in all the States. Its evil influences, social and political, were, however, well understood, and its irreconcilable antagonism to the rights of human nature and the principles of just government, was universally acknowledged.

The founders of the Republic, in framing our institutions, were careful to give no national sanction to this portentous anomaly; but they attempted no interference with its existence in the States. Outside of State limits, they allowed it no shelter. Within State limits, they left it to the exclusive disposition of the States immediately concerned. No fact is better established by the records of the past, than the prevalence, during the earlier period of our history, of an almost universal expectation that slavery, excluded, by positive prohibition, from all national territory, would gradually but certainly, and at no distant day, under the operation of the principles of the Declaration of Independence, and through the action of the State authorities, disappear wholly from every State of the Union. The foremost champions of freedom were citizens of slave States, and occupied the highest stations in the State and National governments.

In 1784, immediately after the partial adjustment of the conflict between the claims of the Union and the pretensions of the States in respect to the territory between the Alleghanies and the Mississippi, though the cession, by Virginia, of the territory northwest of the Ohio, Jefferson proposed to provide forever against the extension of slavery, by a positive prohibition of its existence after 1800, in any territory ceded, or to be ceded, or in any State to be created out of such territory. This proposed prohibition received the votes of sixteen out of twenty-three delegates, and of six out of nine States in the Congress of the Confederation. It failed to become a law by reason of that provision of the Articl Confederation which made the concurrence of at least seven States necessary to an affirmative decision of any question. The great majority in its favor indicates, however, the prevalent sentiment of the time.

Three years later, the Ordinance of 1787 impressed upon the soil of the territory northwest of the Ohio an indelible prohibition of slavery. That Ordinance was adopted by the unanimous votes of all the States in Congress. It covered every inch of territory subject to the exclusive regulation of the general government.

In the same year the National Constitution was framed. Mr. Madison declared it "wrong to admit in the Constitution the idea that there could be property in

men." No such word as slave or slavery found place in any of its provisions. All recognition of the rightfulness of slaveholding, and all national sanction of the practice, was carefully excluded from the instrument. In every clause which has been, or can be construed as referring to slavery, it is regarded as the creature of State legislation, and dependent, wholly, upon State legislation for its existence and continuance. There is no trace in the Constitution itself, or in the debates of its framers, of any expectation or apprehension of the institution or maintenance of slavery by national law, or in national territory. No one anticipated its extension beyond the limits of the existing States.

But the people required additional security. When, therefore, Virginia suggested an amendment of the Constitution, that "no *freeman* ought to be deprived of his life, liberty or property, *but by the law of the land*," Congress refused to sanction this restricted guaranty, but proposed, for the adoption of the States, an amendment, embracing a comprehensive and express interdict against all invasion of personal rights by the general government. That interdict, made part of the Constitution by the consent of the States, is in these words: "No person * * * shall be deprived of life, liberty or property, without due process of law." So long as this provision remains unaltered, it is not easy to see how slavery can be constitutionally introduced any where or continued any where, by national legislation or in national territory.

This brief statement will suffice to show what was the policy and what was the anticipation of the founders of this Republic in respect to slavery. Their policy was one of repression, limitation, discouragement; they anticipated with confidence the auspicious result of universal freedom. Persistent adherence to their policy would doubtless have realized their anticipations.

I need not say to you that this policy has not been adhered to; nor need I trace the gradual process by which the Constitution has been wrested from its original purposes, and the government has been converted into an instrument for the maintenance and extension of slavery.

By cessions from original States, and by treaties with foreign governments, vast territories have been acquired, in all of which the original policy of the government required prohibition, but to none of which was prohibition actually applied, until resistance to the further increase of slavery and the slave power in the Republic, by the admission of Missouri as a slave State, led to the great contest between the extensionists and the restrictionists, which, in 1820, terminated in the adjustment generally known as the Missouri Compromise.

The terms of that compromise were these: That Missouri should be admitted with slavery; that slavery should be forever prohibited in the territory acquired from France, north of 36 degrees 30 minutes, except Missiouri; and that Congress should refrain, for the present at least, from legislative prohibition of slavery south of 36 degrees 30 minutes. This last term was only implied: it was not expressed.

This compromise, in substance and effect, was a compact between the slaveholding and non-slaveholding sections of the country, and was universally so regarded. It yielded to slavery absolutely the territory occupied by Missouri, and it left without the protection of prohibition all the residue of the territory, acquired under the French treaty, south of 36 degrees 30 minutes. As the original policy of the country, and the true principles of the Constitution, required the exclusion of slavery from the whole of this territory, it was to be expected that this adjustment would be received with much dissatisfaction in the free States. It was so received; but after a time, for the sake of peace, and in the full belief that its stipulations in respect to the territory north of 36 degrees 30 minutes, would be faithfully observed, the people generally acquiesced in it.

Concession invites aggression. Having succeeded in establishing slavery in Missouri, the slave power soon insisted upon the implied term of the compromise as a positive stipulation for the allowance of slavery south of 36 degrees 30 minutes; not only in the territory acquired from France, but in all other territory, whenever and however acquired, in which slavery might exist at the time of acquisition. This interpretation was tacitly admitted; and under the compromise, thus interpreted, Arkansas, Texas, and Florida came into the Union as slave States, and the small remainder of the territory south of 36 degrees 30 minutes, was allotted to slaveholding Indian tribes.

All the territory south of the Missouri line, whether acquired before or after the date of the compromise, was thus incorporated into slave States, or otherwise appropriated to slavery under the slaveholding interpretation of the Compact. Nothing was left to freedom or settlement by non-slaveholding freemen, except the territory north of the Missouri line. The freedom of this territory, it was thought, was firmly secured. Guaranteed by the Constitution, protected by original policy, guarded by a compact in the fulfillment of which so much has been yielded that it seemed impossible for slavery itself to ask more, the people of the free States never dreamed that it could be invaded or endangered. But this anticipation proved illusory. When the time arrived for the organization of government for this territory, with a view to open it for settlement and cultivation, the country was astounded by the demand of the slave power for the abrogation of the Missouri prohibition. At first the demand was heard with incredulous amazement, and then with unavailing indignation. It availed nothing to appeal to plighted faith; nothing to appeal to ancient policy or constitutional guaranties. The great dominant power of slavery demanded the sacrifice of freedom, and the oblation must be made. The Missouri prohibition was repealed; the compromise of 1820, performed to the letter, and far beyond the letter, by the free States, was broken up and destroyed by the slave States, to avoid the fulfillment of its only stipulation in favor of freedom.

The pretences under which this wrong was perpetrated, give additional keeness to the sense of injury.

It was boldly asserted that the prohibition was unconstitutional. The power to prohibit territorial slavery had been exercised by the first Congress under the Constitution, in the act providing for continuing in full effect the ordinance of 1787. The Constitution, in express terms, had conferred on Congress the power to make all needful rules and regulations concerning the Territory of the United States. This provision had been uniformly regarded as authorizing all necessary territorial legislation. Almost every Congress had exercised the power, and almost every President had approved its exercise. The very persons who denied the power to prohibit slavery, asserted the power to establish territorial governments, and to define their departments and powers; and therefore, in denying the power of prohibition, were reduced to the necessity of denying that the greater includes the less.

Under these circumstances, after the prohibition had remained unquestioned for more than the third of a century, the denial of its constitutionality rather provoked indignation than excited doubt.

It was also insisted that the doctrine of popular sovereignty required the repeal of the prohibition. This was a mere abuse of terms. The true idea of popular sovereignty demands as a primary essential condition the recognition of inalienable personal rights. There can be no genuine popular sovereignty where a portion of the population is enslaved. The prohibition of slavery is therefore a necessary pre-requisite to a real sovereignty of the people. In the sense of the apologists for repeal, popular sovereignty signifies nothing but the right of a portion of the community to enslave the rest. It begins by the denial of the natural rights of man. It must end in the total subversion of the fundamental principles of American institutions. For a free and independent people, it would substitute a community of masters, dependants and slaves.

Such is the repulsive theory. In practical operation, it has not proved more attractive. As embodied in the Nebraska-Kanzas bill, it has been fruitful of nothing but evil. It has not conferred a single substantial benefit upon the settlers of either territory. In no respect are they distinguished from the settlers of Minnesota, where slavery is prohibited, except by exposure to its evils. The sole, special effect of the Nebraska-Kansas act upon the territories organized under it is to open them to the introduction of slaves. In one of them it has led to desperate attempts to effect that object—to invasion, usurpation, violence, bloodshed—almost to civil war. Crimes like these are not the legitimate fruits of that doctrine of popular self-government, to the maintenance of which our fathers pledged their lives, their fortunes and their honor.

In all these things our own State has a deep and peculiar interest. Our own history furnishes the most complete vindication of the policy of slavery prohibition. We occupy, in part, the soil protected from the blight of slavery by the ordinance of 1787. For more than half a century the people of Ohio have been accustomod to regard that ordinance with mingled emotions of gratitude and pride. Conspicuous among

its provisions, and in fit companionship with its sacred guaranties of religious freedom, of liberality towards immigrants, of the inviolability of private contracts, of the security of private property, and of universal education, stands the great interdict against slavery, acknowledging and impartially protecting the rights of man as man. The words to which we always recur when seeking in the ordinance the peculiar springs of our wonderful prosperity and progress, are those which embody this prohibition. Never did the noble pioneers who laid the foundations on which we now joyfully build, complain of that interdict as an abridgement of any rights, personal or political. On the contrary, they have ever spoken of it as the pillar of fire by night and of cloud by day, which guided and protected them in the wilderness. More than any other State, Ohio, as the first-born of the ordinance, and indebted to the ordinance for her proud position, as the third State of the Confederacy and first among the new States, is bound to cherish and defend its great and beneficent principles. In so doing, we shall be fellow-workers with its illustrious framers, in their own declared policy and purpose of "extending the fundamental principles of civil and religious liberty whereon these republics, their laws and constitutions, are erected, and fixing and establishing those principles as the basis of all laws, constitutions and governments which forever hereafter shall be formed in" American "territory."

No political duty appears to me more urgent than this.

The question of slavery, it is almost universally conceded, transcends in present importance all other political questions of a national character. The repeal of the Missouri Prohibition, abrogating the Missouri Compromise, opens anew the whole subject of the relations of slavery to the Union, to the States, and to the Territories. In determining the true line of duty, under these circumstances, it seems to be the part of wisdom to recur to the acts of the founders of the Republic, and to the principles of the Constitution. To me these guides seem to indicate a plain path. It leads back to the original national policy. That policy, I have already remarked, while it sanctioned no outside interference with slavery in slave States, contemplated no extension of it beyond State limits. It regarded slavery in all its relations as subject, exclusively, to State legislation, and absolved the General Government from all responsibility for its existence or continuance. Our return to that policy should be signalized by the restoration of the guaranty of freedom to the territories which have been deprived of it by the retrograde legislation of Congress. Had the policy originally adopted been persistently pursued, the question of slavery would have ceased long since to vex our repose and disturb our councils. Should that policy be restored, may we not confidently expect the restoration also of those relations of harmony and good will which characterized the era of its adoption, and that, through repeal of all national legislation in support of slavery, and the constitutional action of State Governments, the ardent desire of our Fathers for the deliverance of the whole country from the great evil, may at length be fulfilled?

No worthier objects than these, in my judgment, can engage the united efforts of freemen. Frank and cordial co-operation for these noble ends excludes all invidious and unjust discrimination on account of birth or creed, endangers no right of any individual or any State, but promises the happy result of a more perfect Union established upon the solid foundations of exact justice, and equal rights.

I have thus submitted to you, gentlemen, my general views upon several [illegible] of public interest. Other important matters will doubtless engage your att[illegible] You need no further assurance of my disposition to co-operate faithfully wi[illegible] in whatever may promote the common welfare. Let us proceed, the[illegible] discharge of our respective duties. With hearts full of gratitude to God [illegible] liberty which we enjoy, and the prosperity which has attended us hitherto, l[illegible] our constant endeavor, looking reverently to Him for guidance and direction, ensure the transmission to those who are to come after us, of the noble heritage of free institutions which we have received from our fathers, not only unimpaired, but augmented and improved.